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The democratic foundations of the Just City: towards a comparative framework

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Abstract

This paper departs from the debate on the Just City and asks what the democratic foundations of such a city would look like. In an effort to integrate advancements in urban research and democracy research, I propose a comparative framework for identifying favourable institutional arrangements for democratic planning processes potentially contributing to just planning outcomes. It is hypothesized that vertical and horizontal consensual power sharing institutions, complemented with a strong mayor and broadly mobilizing participatory arrangements, are best suited for protecting and empowering deprived population groups in a broad range of planning domains – from local redevelopment and municipal planning to the achievement of collective action at the metropolitan level. Future comparative case studies will show whether particular institutions and their configurations actually shape planning processes in ways that are essential for approaching the ideal of the Just City.

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1. Introduction: the Just City debate

Globally competing city regions are shaping the daily life of an increasing share of the world's population. More than half of the world's population depends on the economic opportunities offered in urban regions, while being affected by available housing, commuting ways, available means of public transportation, health and social services, schools and day-care structures, opportunities for leisure and socialization, and the quality of the environment. At the same time, it is in globally competing city regions that social and cultural differences are particularly pronounced and where the population size and complexity of governance at multiple levels make effective political involvement of all population groups seem unlikely. In fact, many people wonder whether their municipal and regional governments are actually responding to the needs of the broader population or rather to the interests of particular segments of the population, business sectors and international investors.

It is against this background that an invigorated debate among urban scholars has emerged: the debate on 'the Just City'. In her book with the same title, Susan Fainstein (2010) departs from a Rawlsian liberal concept of justice and discusses its applicability in the context of urban planning at the beginning of the twenty-first century in the wealthy, Western world. *Equity*, as her preferred criterion of justice, then refers to "a distribution of both material and nonmaterial benefits derived from public policy that does not favour those who are already better off at the beginning" (Fainstein 2010, 36). As this approach to justice can be criticized for being too individualistic, Fainstein supplements the criterion of equity with the poststructuralist criterion of *recognition*, giving attention to group differences that go beyond social classes and encompass race, ethnicity, gender, religion, and culture. She agrees with Iris M. Young that "group differentiation is both an inevitable and desirable aspect of modern social processes", and that "social justice … requires not the melting away of differences, but institutions that promote reproduction of and respect for group differences without oppression" (cited in Fainstein 2010, 43). Fainstein then amplifies her concept of justice by Sen and Nussbaum's *capabilities* approach. Necessary capabilities for the development of each individual encompass non-tradable and consciously valued (if not used) opportunities regarding quality of life, health, bodily integrity, access to education and control over one's political and material environment (Fainstein 2010, 55).

Fainstein (2010, 77–80, 7) then first raises equity issues that are involved in housing and urban regeneration policies, acknowledging that public transportation policies and education policies are considered to have strong equity implications as well. Whereas US housing policies after World War II were characterized by encouraging home ownership in the suburbs and stigmatizing low-income occupants in public housing, European national governments invested in mass-produced rental housing for large proportions of the working class. By the beginning of the twenty-first century public housing on both continents was increasingly replaced through mixed-income developments and – in the case of Europe – non-profit or cooperative forms of housing. Also rent supplements have been introduced, leaving the recipient greater choice, provided there are units available and there is no discrimination by the owners. And while private homeownership for the poor in the US had disastrous consequences in the mortgage crisis, the governments of UK and France have eliminated tax deductions for homeownership because of its regressive effect on fiscal redistribution.

The field of urban regeneration is seen as tightly linked to housing policies (Fainstein 2010, 80–82). The extent to which redevelopment zones are designated for residential use as well as locational

choices for new social housing or mixed-use developments determine who will benefit from the redevelopment programmes. Urban regeneration have usually led to repetitive conflicts between growth and equity: 'downtown versus the neighbourhoods', 'demolition versus preservation', 'community stability versus population change', 'subsidized sports facilities versus investments in social housing, education, or community facilities', 'expressways versus public transit'. Reconciliation between growth and equity through investment in human capital is seen as hampered by the incentives of elected politicians to favour visible hard expenditures over long term soft investments.

Recognition of urban diversity has become a supplementing criterion of urban justice, more so in an era of massive migration into urban areas around the world (Fainstein 2010, 68). Linking recognition with justice requires equal rights to city space and that population groups with different life styles can enjoy public spaces designed for their preferred uses without limiting access for other population groups (Fainstein 2010, 69, 72). Planning diverse communities, however, is cautioned when the same diverse mixed-use developments are replicated by global developers or when forced relocation or fostered insertion of low-income or minority people to better situated neighbourhoods or suburbs means that community ties are disrupted and the receiving community remains hostile. Thus while ghettoes as involuntary spatial concentrations of a particular population group are obstructive of equity and community, homogeneous ethnic enclaves as "sanctuaries for cultural difference" can contribute to diversity and recognition at the metropolitan level (Fainstein 2010, 71–76).

Based on case study materials, she ends up with a list of *principles to direct and evaluate urban planning policies* conducive to a more equitable city. For instance, "all new housing development should provide units for households with incomes below the median, either on-site or elsewhere, with the goal of providing a decent home and suitable living environment for everyone" (Fainstein 2010, 172–173). Or: "Households or businesses should not be involuntarily relocated for the purpose of obtaining economic development or community balance." And: "Reconstruction of neighborhoods should be conducted incrementally so that interim space is available in the vicinity for displaced households who wish to remain in the same location." Moreover, "megaprojects should be subject to heightened scrutiny, be required to provide direct benefits to low-income people in the form of employment provisions, public amenities, and a living wage." And lastly: "Fares for intracity transit (but not commuter rail) should be kept very low [as] low-income people are disproportionately reliant on public transit."

By elaborating these substantive criteria of just planning outcomes for directing planners and advocacy groups, Fainstein (2010, 19) explicitly aims at counterbalancing the *overly procedural accounts of discursive planning, negotiation and democratic decision making* that have become dominant within planning theory. Even if she believes that justice can be seen as the consensual outcome of deliberation in a hypothetical ideal speech situation, she contends that sincerity, truth-telling, and rationality would never be met on the ground (Fainstein 2010, 13). In a capitalist society where resources are privately owned and controlled, communicative planning will not fundamentally challenge existing power relations, and conflicts of interests and pre-existing social structures will block consensus building (Fainstein 2010, 28). It is not clear to her, why "reasoned discussion will produce just outcomes without any predetermined program indicating the content of justice or designating which participants in the discussion hold the moral high ground" (Fainstein 2010, 29). Participatory mechanisms have become a vehicle for middle-class interests, thereby democratizing bureaucratic planning processes but not in the direction of redistribution. Moreover, the legitimacy of neighbourhood activists claiming to represent a broad constituency has always been suspect, and

if they are not backed by widespread mobilization they are unlikely to make a difference (Fainstein 2010, 66–67).

Democratic theory more broadly has, in her view, failed to show how to ensure "adequate representation of all interests in a large, socially divided group, protecting against demagoguery, achieving more than token public participation, preventing economically or institutionally powerful interests from defining the agenda, and maintaining minority rights" (Fainstein 2010, 29). If politics in culturally divided societies is based on coalitions, she argues, how can we expect social emancipation to come from a "coalition of out-groups that share little but their antagonism to the extant social hierarchy?" (Fainstein 2010, 52). Social programmes, she concludes, depend on a combination of pressure from below, political-bureaucratic receptiveness at national and local level, and majoritarian support by the broader public and by centre-left coalitions in the case of Europe. Accordingly, social programmes and redevelopment policies were often based on coalitions involving down-town business and conservative segments of the population, resulting in suburbanization and further segregation (Fainstein 2010, 167–168).

An encompassing debate on Fainstein's concept of the Just City is documented in the edited volume *Searching for the Just City* (Marcuse u. a. 2009). Frank Fischer engages in a reconciliation of her normative aim of social justice with the approach of discursive planning. The communicative approach urges planners to critically reflect on their own ways of arguing and on hidden forms of communicative power. While most planning practices are indeed limited to the level of technical assessments, deliberation on social justice would include a higher level discourse on broader societal impacts and alternative social systems. Peter Marcuse (2009, 95) takes another stance by criticizing Fainstein's concept for "accepting the existing structures, laws, and institutions as given", thus neglecting the power structures that lead to injustice in the first place. Alternatively, affected people might enjoy a right for decent living and decent work, community-based interests and decision-making processes might be formally binding on development, private property rights might be seen as endowed with a social purpose, and city agencies dealing with economic growth might be limited by other municipal agencies dealing with education, incomes, environment and family welfare (Marcuse 2009, 97–98). The legitimacy of existing planning practices thus needs to be challenged, placing those in power in the defensive position of justifying their approaches.

Although the debate on the Just City involves many more issues, such as the 'right to the city' and the question to what extent redistribution and recognition is possible under capitalism (Harvey und Potter 2009), it becomes clear from this short review that the discussion on the institutional democratic foundations for just urban planning outcomes has either been limited to participatory processes and the role of planners, or remained extremely vague and fragmentary with regard to the broader democratic institutional framework. Yet improving our understanding of how democratic institutions mediate planning processes and their outcomes might help orienting urban institutional reforms towards the goal of the Just City.

The aim of this paper is to contribute to such a research program by proposing a comparative framework for identifying favourable institutional arrangements for democratic planning processes potentially contributing to just planning outcomes. The next section first systematizes the several dimensions of institutional variation in the urban context. Section three then presents a first draft of our comparative framework for relating democratic and just planning processes to the institutional

setting within a particular urban region. The comparative framework will be taken as a starting point for future comparative case studies, as is briefly outlined in the concluding section.

2. Democratic institutions in the urban context

The here developed comparative framework is heavily based on a completed European research project exploring how cities in different institutional settings and with different political cultures combine leadership and community involvement for initiating, planning and implementing projects aiming at fostering social inclusion and/or economic competitiveness (Haus, Heinelt, and Stewart 2005; Heinelt, Sweeting, and Getimis 2006). The research team employed sophisticated typologies of centre-local relations, government systems, types of leadership, and institutional designs for community involvement (Bäck 2005; Getimis und Grigoriadou 2005; Klausen und Sweeting 2005). As in our case the focus is on the institutional foundations of democratic planning processes and just planning outcomes within cities and city regions, the framework will be expanded to include governance institutions at the metropolitan level. Moreover, as consensus democracy is often associated with "kinder and gentler" outcomes (Lijphart 1999), for our purposes it appears convenient to introduce newer adaptations of Arend Lijphart's typology that have emerged for describing power sharing institutions that are relevant for municipalities and metropolitan regions. The following subsections will thus summarize existing typologies under the headings 'vertical power sharing institutions', 'horizontal power sharing institutions', 'types of urban leadership', and 'participatory designs'.

2.1. Vertical power sharing institutions

In his international comparative analysis, Lijphart (1999) finds two dimensions for distinguishing 'consensus democracies' from majoritarian 'Westminster democracies': A "horizontal dimension of [power sharing] institutions operating at the central level" (treated in the subsequent subsection), and a vertical dimension having to do with "central-regional-local government relations" (Lijphart 2003, 23). Power sharing in the vertical dimension ideally encompasses a federalist constitution that is guaranteed by a rigid constitution and enforced through independent judicial review and strong representation of the regions in a bicameral parliament, ultimately aiming to promote and protect a decentralized system of government (Lijphart 1999, 4). Empirically these federal characteristics of power sharing actually clustered in a vertical dimension that was completely unrelated to the cluster of horizontal power sharing institutions.[1]

As Lijphart was concerned with national states, decentralization of power was seen as highest in federal states, and unitary states were graded according to their degree of political and administrative decentralization – notably, without distinguishing between the local and regional level. Comparative local government studies, in contrast, have been preoccupied with local

[1] Lijphart's empirical cluster of federal characteristics also includes the horizontal power sharing institution 'independent central bank', thus countering his conceptual differentiation between horizontal and vertical power sharing institutions (Lijphart 2003, 23). Yet in a factor analysis for a more recent time period and limited to 23 modern OECD countires, Adrian Vatter (2009) finds a pattern that is consistent with the distinction between a horizontal and a vertical dimension, i.e. central bank independence clusters with the horizontal power sharing instituions.

autonomy with regard to higher government levels. Hesse and Sharpe (1991) developed a typology of *centre-local relations and local autonomy* in twenty Western industrialised countries which is still the basic analytical lens for most comparative studies (see table 1). A more fine-grained comparative assessment of decentralization to the local level in 21 countries has been conducted by Sellers and Lidström (2007), based on the local share of administrative staff, the share of local tax revenues, corporate local representation at higher state levels, supralocal political and administrative supervision, dependence on supralocal grants, as well as tax and borrowing autonomy. Yet as we are dealing with cities and city regions, vertical power sharing would have to balance municipal authority with more or less decentralized neighbourhoods on the one hand side, and more or less authoritative regional governments on the other hand side. Regional authority, as measured by Marks, Hooghe, and Schakel (2008a; 2008b), implies a representative regional government that is institutionally independent from the central government and that has a wide scope of policy competencies, including tax competencies.

TABLE 1: CENTRE-LOCAL RELATIONS AND LOCAL AUTONOMY

	Franco-group (napoleonic)	**Anglo-group**	**Northern and Middle European group**
Constitutional status	High constitutional status	Low constitutional status	High constitutional status
Control from above	Strong control from above	Less control in day to day policy making	Less control from above
Political / functional role	Rather political than functional role (cumul de mandats)	More functional than political role	Emphasis on functional capacity and local democracy per se
Local autonomy	Low degree of local autonomy	Medium degree of local autonomy	High degree of local autonomy
	F, I, E, B, P, GR	UK, IRE, CA, AU, NZ, ~US	N, S, DK, A, CH, D, NL, JP

Source: Hesse and Sharpe (1991)

The problem with looking at regional authority is that urban agglomerations and metropolitan areas, defined by strong economic interdependencies and heavy commuting from suburbs to regional centres, usually do not correspond with the traditional regional jurisdictions. Adherents of the *metropolitan government school* in the early and mid-20th century have therefore called for the establishment of metropolitan governments either through annexation, city-county consolidation or the establishment of a new metropolitan tier (e.g. Maxey 1922). In response to the supposedly inefficient and unresponsive service delivery by centralized bureaucracies, the *public choice school* from the 1950s onwards saw the fragmentation of local government as a virtue, as inter-local competition for mobile taxpayers would lead to tax-service packages matching the local needs (e.g. Tiebout 1956; Ostrom, Tiebout, und Warren 1961).

Concerned by the neglect of questions of equity, scholars of *new regionalism* have since the 1990s focused on forms of metropolitan governance that combine hierarchical forms of strategic decision making with horizontal cooperation and coordination (e.g. Rusk 1993; Savitch und Vogel 1996). However, the successes of the so called 'governance without government' in "reducing the growing urban-suburban disparities, enhancing regional growth policies to reduce sprawl, producing affordable housing in the suburbs, and leading to a more competitive city in the world economy" have been disappointing (Savitch und Vogel 2009, 114). Moreover, Neil Brenner (2002) argued that

new regionalists missed the broader context of new regional dynamics. Instead of being experiments for strengthening local autonomy and ameliorating the urban crisis, new forms of regional governance would reflect a "postfordist urban restructuring and neoliberal (national and local) state retrenchment" (Brenner 2002, 3). In his grand theory the *rescaling and reterritorialisation* of the city-region is seen as a part of a larger restructuring of statehood in response to the pressures of global capitalism (Brenner 2004). This brief sketch of different approaches to metropolitan governance, as well as the following overview table, is based on Savitch and Vogel (2009).

TABLE 2: THEORETICAL FRAMEWORKS ON REGIONALISM

	Metropolitan government (Old regionalism)	**Public choice (Poly-centrism)**	**New regionalism**	**Rescaling and reterritorialisation**
Time-frame	1900-1960s	1950s-1990s	1990 to present	2006 to present
Core focus	Efficiency	Effectiveness	Equity	City competitiveness
Pattern of urban development	Monocentric	Multi-centered but core still dominant	Multi-centered but core less dominant	Megalopolis
Problem	Fragmentation	Centralisation	Equity/competitiveness	Competitiveness
Solution	Hierarchy: Establish metropolitan government	Market: Tax competition, good public services, economic attractiveness	Horizontal Cooperation: Strategic metropolitan decisions through consolidation or governance arrangements	Rescaling/ Restructuring: realignment of boundaries, roles, functions, and resources and relations with private and non-governmental actors
Major critique	May lead to lack of responsiveness, problem of minority dilution	Lack of equity as poor can't move easily	Weak regionalism, unlikely to reduce disparities	Tendency towards economic determinism, high level of abstraction, and 'absence of politics'
Empirical reference points	New York City (1898) Toronto (1954) Miami (1958) London (1965)	Los Angeles (Lakewood Plan) St. Louis Pittsburgh	Louisville (1986-2000) Bologna Rotterdam Portland	World cities

Source: Abbreviated version of table in Savitch and Vogel (2009, 108–109)

In a recent analysis, Daniel Kübler (2012) discusses the metropolitan governments in Lyon, Stuttgart and London in terms of vertical (and horizontal, see next section) power sharing. Although all three instances represent only a weak form of the metropolitan government tradition (see above), he finds a significant variation with regard to the range of policy competencies and planning responsibilities, administrative capacities, and financial autonomy. And while the direct election of the Stuttgart metropolitan assembly reflects the intention to create an autonomous metropolitan sphere that is independent from municipal tyranny, territorial representation through indirect elections and 'cumul

de mandats' in the case of Grand Lyon has led to the institutionalization of local-metropolitan interdependencies (Kübler 2012). In cities employing new regionalist arrangements instead ('governance without government'), vertical power sharing might involve delegation of competences and resources to a metropolitan governance body or to single-purpose agencies, possibly combined with a strategic and supervisory role by higher state levels (see Kübler und Schwab 2007).

2.2. Horizontal power sharing institutions

Frank Hendriks (2010) has adapted Lijphart's typology to the local level, by identifying *majoritarian and consensual characteristics of local governments* (table 3). We see that the 'division of local power' and 'institutionalized interdependency' clearly relate to the vertical dimension discussed in the preceding section. And while the adaption of Lijphart's horizontal characteristics on the party system, cabinet, government-legislative relations, electoral system and interest groups is quite straight forward, the 'dispersion of regulatory power' within the local administration and the 'legal-administrative supervision' and 'financial auditing' are meant to replace the power dispersal and checks and balances that in Lijphart's national conceptualization might be expected from a bicameral system, judicial review and an independent central bank. While this adapted typology was intended for the analysis of local governments, important horizontal power sharing institutions can just as well be studied with regard to neighbourhood councils and metropolitan governments (for the latter, see Kübler 2012).

TABLE 3: MAJORITARIAN AND CONSENSUAL CHARACTERISTICS OF LOCAL GOVERNMENTS

	Majoritarian	**Consensual**
Party system	Two-party system	Multiparty system
Cabinet	One-party with simple council majority	Multiparty coalitions
Government-council relations	Executive dominance in monistic government	Balanced relations in dualistic government
Electoral system	Majoritarian	Proportional
Interest groups	Pluralism	Local corporatism
Division of local power	Unitary, centralized	Multi-tier and multi-unit
Division of regulatory power	Concentration, vertical lines from committees to sectoral bureaucracies	Dispersed, need for horizontal coordination of policy sectors
Local autonomy	Home rule, local autonomy	Institutionalized interdependency
Legal-administrative supervision	Limited	Oversight by external bodies
Financial-economic auditing	Under local political control	External 'courts of audit'

Source: Hendriks (2010, 55, 72-73)

To these representative forms of majoritarian and consensus democracy Hendriks (2010) adds two *direct democratic forms of democracy*: a majoritarian 'voter democracy' and a non-majoritarian 'participatory' or 'deliberative democracy'. Even if decision making in both forms might be by majority rule, in the second form a lengthy deliberative process including minorities precedes the majoritarian vote which ideally serves to confirm the consensus reached. These four models are not seen as mutually exclusive; functioning democracies usually entail different models according to

dynamic processes of push and pull (for recent developments in Europe see Hendriks, Loughlin, und Lidström 2011).

The role of referenda for consensus democracies was also a concern for Lijphart, but he could not find any association with either of his democracy types (Lijphart 1984; 1999). While referenda are often seen as the most extreme majoritarian method of decision-making, potentially repressive of minorities, he ascribes them anti-majoritarian traits as they work in addition to the required legislative approval, offering dissatisfied minorities the opportunity to launch a campaign against a proposed amendment. Even referenda initiated by the population are seen to "give very small minorities a chance to challenge any laws passed by the majority of the elected representatives" (Lijphart 1999, 231). The potential thread of calling a referendum by minorities is an incentive for "the majority to be heedful of minority views", eventually leading to broad governing coalitions and the corporatist inclusion of organized interest groups, as evidenced in the case of Switzerland (Lijphart 1999, 231).

In a more recent analysis for 23 advanced OECD countries, Adrian Vatter (2009) conceptually disaggregates direct democratic institutions to more or less consensual forms. While plebiscites initiated by the government and requiring only a simple majority clearly belong to the majoritarian type of democracy, optional referenda and initiatives – both initiated by a minority of voters or parliamentary representatives – are seen as typical power sharing institutions as long as they require a qualified majority. If a simple majority decision rule applies, these instruments are regarded as intermediate forms of power sharing. The same is true for mandatory referenda, as they are not at the discretion of the head of government but required by the constitution. Petitions and agenda-setting initiatives without binding power are also considered to add to the consensual character of direct democracy. Empirically, Vatter confirms a close association between the extent of consensual direct democracy (including its actual use) and broad government coalitions, constituting an additional 'bottom-up dimension' that allows for a more direct democratic type of consensus democracy as an alternative to the 'parliamentary-representative' type based on horizontal forms of legislative power sharing among multiple parties. Similarly, in a subnational comparative analysis for Austria, Germany and Switzerland, Vatter and Steffen-Stadelmann (2013) show that optional referenda and popular initiatives at the regional level (all combining minority initiation with majority decision-rule) are an important element of consensus democracy and power sharing.

2.3. Types of urban leadership

Given the modest resources commanded to local governmental authority in most countries, studies of urban governance have stressed the importance of urban political leadership for energetic governance (Stone 1995). Even though political leadership can be exercised by a variety of people across a city, most studies focus on those people at the top of the formal political institutions as this group “has influence over public resources and hence has accountability and power relations with all the citizens within the area” (Greasley und Stoker 2009). Key tasks of these political leaders are: maintaining political support, developing policy direction, representing and defending the authority’s goals in negotiations with other bodies, and ensuring task accomplishment (see Leach u. a. 2005). Leader’s success to attain their goals has often been explained by contextual factors and personal skills and capabilities, but also by the institutional structure in which they operate. In a comparative study of 14 countries Mouritzen and Svara (2002) differentiated four ideal types of governmental

forms. In *strong mayor* systems an elected mayor controls the majority of the city council and is responsible for all executive functions. In the *committee-leader* form the political leader is charged with some executive functions, but other functions are assigned to standing committees and to the top administrator (CEO, city manager, secrétaire générale or the like). In the *collective* form there is one elected collegiate body that is responsible for all executive functions, where the mayor presides over the body. Finally, in the *council-manager* form, all executive functions are in the hands of a city manager who is appointed by the city council, where the mayor is formally assigned presiding and ceremonial functions only. The authors note, however, that the governmental form does not automatically relate to a strong policy leadership. Instead they find that leaders in strong mayor and committee-leader forms are more likely to figure as party leaders bringing their party concerns into their role.

In the earlier mentioned European comparative research project the evidence does not support the general hypothesis of enhanced leadership in systems with direct mayoral elections, consolidated party systems or strong parliamentary support. Instead it is particular leadership styles (see Getimis und Grigoriadou 2005) that are encouraged depending on the institutional and political context (Bäck 2006). The more fragmented the institutional and political landscape (vertical and horizontal power sharing, see above), the more likely are leadership styles that facilitate cooperation and consensus. Constitutional arrangements that vest the political leader with high degree of legitimacy through direct elections, in contrast, are favourable conditions for a visionary style, where a leader gains the support of different sides to promote innovative policies. However, the same constitutional feature may also encourage a city boss style, with the political leader promoting his agenda without anticipating capacity building in local or regional actors. According to this analysis, a cooperative and visionary leadership is thus perfectly compatible with consensual power sharing institutions involving the separation of powers ('dualistic government') between a strong council and a collegiate cabinet presided by a directly elected mayor – as opposed to a dominating mayor appointed by the winning party in a 'monistic council' (Bäck 2005, 82).

2.4. Participatory designs

Accounts of urban governance beyond city hall have typically been painted in dark colours. Taking a middle ground between elitist and pluralist theories of urban politics, urban regime theory focuses on informal governing coalitions forged by urban leaders and senior bureaucrats to include resourceful business elites and selected community representatives securing the necessary electoral support for pursuing a more or less progressive policy agenda (Stone 1989). Within such an urban regime no one would dispose of absolute power, but business power would certainly have a privileged position as financial assets can be most readily converted for achieving significant policy results. Depending on the composition of this government coalition certain population groups can be effectively excluded from power while marginal potential opposition groups may be bought in by small-scale material incentives. The formation of stable regime structures, however, is by no means certain, and while existing government coalitions in some cities may adapt to changing political circumstances, in other cities they may be effectively challenged by newly forming opposition groups and protest movements (Mossberger und Stoker 2001).

In recent years, neo-institutionalism is gaining ground in urban research to complement the dominant approach of urban regime theory. In contrast to the discredited old institutionalism, new

institutionalism accounts not only for formal institutions, but also for power asymmetries replicated by informal conventions and coalitions of governments and bureaucracies (Lowndes 2009). The old model of administrations being hierarchically controlled by electorally accountable governments seems no longer viable in a context of autonomous and closed governance networks that cannot longer be overseen by the legislature, thus rendering public accountability a central challenge (Kjaer 2009). Administrative agencies and 'street-level bureaucrats' are exposed not only to multiple hierarchical principles but they also develop informal 'decision rules' emerging from task performance as well as 'attention rules' that might privilege certain neighbourhoods or population groups above others (Jones 1995, 84–85).

As scholarly attention has moved from the formal institutions of municipal government to the opaque and potentially exclusive character of bureaucratic practices, policy networks and government coalitions, we may contend with Mark Warren (2009) that the most radical potentials of democratisation have also shifted from electoral democracy into democratic governance, the field of technocrats and administrators. We may, in fact, be witnesses of a trend that Warren eloquently calls 'governance-driven democratization'. According to Warren (2009, 8), "elected governments have become increasingly aware that electoral legitimacy does not translate into policy-specific legitimacy." Initiated from within government and administration, new forms of democratic participation have emerged. These are not meant to replace other forms and spaces of democracy such as electoral democracy, social movements or deliberation through the media but might be supplementary to it (Warren 2009, 8). These new forms are not to be confused with direct participation in the form of direct legislation, they are often democratic experiments commonly engaging a relatively few citizens and rather have the potential to constitute a means of representation of the broader population.

Archon Fung, a pioneer of democracy research on local participatory processes, lists eight design choices that ultimately decide on their contributions to democratic governance (Fung 2003). The first design choice informing all the other choices is the *vision* regarding the purpose of the arrangement, where he distinguishes educative forums, participatory advisory panels, participatory problem-solving collaboration (continuing public-private cooperation), and - the most ambitious - participatory democratic governance, aiming at including citizens in agenda-setting and decision making to counteract capture of or biases in representative legislation and insular administration. *Participant selection and recruitment*, in this latter form of participatory governance, is not left to the biases of voluntary self-selection, but is either (randomly) selected to demographically mirror the population or influenced by creating structural incentives for low-status and low-income citizens, such as by addressing poor people's concerns (*subject of deliberation*) so that they can expect that participation will make a difference. Ideally, public discussion and decision making is taken in a deliberative *communication mode*, where participants appeal to some common good or common norms of fairness. It is most important to encourage disadvantaged participants to form and express their opinion as well, and a moderator might level the field and guide the participants toward emergent consensus. The motivation to participate as well as the quality of deliberation, in Fung's view, is better in hot deliberations with participants who have much at *stake*. Moreover, participatory problem-solving and democratic governance arrangements require a frequent *recurrence* in order to effectively participate in policy development, decision making and ongoing *monitoring* to make officials more accountable and pressuring them to serve public ends or plans. Lastly, participatory bodies are *empowered* to the degree that their deliberative results actually

influence public decisions. With regard to just policy outcomes, he regards an incentivized recruitment of disadvantaged people and their actual empowerment for deciding and implementing policies as absolutely crucial, pointing to participatory budgeting in Porto Alegre as best practice for effectively mobilizing low-income people (see also Fung 2006).

The preceding elaboration of typologies of vertical and horizontal power sharing institutions, of urban leadership types and styles, as well as the now added criteria for participatory processes now gives us an idea of the huge variation of how actual cities combine these elements in different policy fields. Underlying the discussion was also the assumption that vertical and horizontal consensual power sharing institutions, complemented with a strong mayor and broadly mobilizing participatory arrangements, are best suited for protecting and empowering deprived population groups and leading to 'kinder and gentler' or just policies. The next section gives a preliminary idea of how such institutions should ideally play out in the particular field of urban planning.

3. Democratic planning for the Just City

Departing from the debate on the Just City and the discussion on democratic institutions in the urban context, we can now approach the question on the democratic foundations of the Just City. Several of the country case studies conducted within the framework of the before mentioned European comparative project explicitly deal with urban planning practices that aim at fostering social inclusion, regarding mainly neighbourhood redevelopment. In particular they analyse how urban leadership and community involvement interact for facing the challenges related to social and economic inclusion and spatial justice, thus potentially touching redistributive and complex issues requiring the empowerment of disadvantaged population groups and innovative institution building (see Haus und Heinelt 2006, 33–37). Even though these case studies give important insights with regard to selected neighbourhood planning processes, a rigorous study exploring the democratic foundations of the Just City will have to account for the broader planning processes at the municipal and metropolitan level as well.

For the envisaged comparative case study we have developed a preliminary comparative framework that is shown in table 4. In the first raw it illustrates the *institutional variations* between cities with a hypothetical example of a city combining strong vertical and horizontal power sharing institutions, complemented with a strong mayor and broadly mobilizing participatory processes. The second raw includes the *planning processes* to be investigated in the study. The question of the ideal scale for democratically legitimating each of the planning processes, as indicated by the allocation to the three columns, will need further discussion, but we take this sorting as a starting point. Note that larger mega projects will need to be discussed with regard to the neighbourhood as well as to higher levels, as they often affect different constituencies in different ways.

TABLE 4: COMPARATIVE FRAMEWORK FOR INVESTIGATING THE DEMOCRATIC FOUNDATIONS OF THE JUST CITY

	Neighbourhood level	**Municipal / intermediary level**	**Level of larger urban agglomeration / metropolitan area**
Institutional arrangements / best practices (assumed as the basis for democratic planning processes that lead to just planning outcomes)	• **Judicial provisions**: effective right to housing, protection of tenants, appeals procedure, accessible and politically independent administrative court and higher instances • **Advisory neighbourhood council**: proportional direct election, equal electoral rights for foreign residents, advisory involvement in planning processes, initiative rights at municipal council • **Decentralized agency for social and community work**: duty to report to head office and advisory involvement in planning processes • **Participatory processes** throughout problem definition/ planning/ implementation/evaluation; inclusion of deprived population groups (incentives); information through independent experts; levelled playing field with actively participating mayor/representatives/ officials; heated debate with external moderator; consensual decision making (non-binding); active information of city-wide population; followed by binding city-wide popular vote (see municipal level)	• **Local authority**: extensive zoning and regulatory competences (within the bounds of metropolitan plans), authority over staff and public resources required for autonomous urban development policies, effective right of compulsory purchase for public use (eminent domain) • **Directly elected mayor and consensual government system**: multiparty cabinet heading administration (surplus coalition), extensive legislative and controlling powers by proportionally elected multiparty council and its proportionally composed committees, equal electoral rights for foreign residents • **Direct legislation institutions**: low barriers for binding popular referenda and initiatives on legal matters and public resources, equal participation rights for foreign residents, decisions by simple majority • **Participatory processes** (see neighbourhood level)	• **Metropolitan authority:** extensive planning, regulatory and tax competences, authority over staff and public resources required for autonomous metropolitan development policies • **Consensual government system**: multiparty cabinet, metropolitan council proportionally elected by municipal councillors according to population size, decisions by simple majority • **Single-purpose agencies** (special-purpose districts): funding and performance goals defined and supervised by metropolitan governance body (see above) • **Participatory processes** throughout problem definition/planning/ implementation/evaluation; inclusion of deprived localities and population groups; consensual decision making (non-binding); followed by binding decision by metropolitan council (see above)
	• **Administrative provisions**: objection procedure requiring official response, external evaluations and financial audits made available to the public, ombudsman		
Planning processes requiring democratic legitimation at different levels for the purpose of just planning outcomes (to be investigated in the study)	*Redevelopment in deprived core city neighbourhoods* • Private redevelopment projects • Public spaces, green spaces, public amenities • Mega projects	*Planning decisions in core city* • Zoning, density and building regulations, special plans • Public land, infrastructure, public amenities • Mega projects	*Organizing collective action for the metropolitan area* • Strategic development plan, structure plan, settlement plan • Housing supplements / social housing • Economic development / promotion • Public transportation • Mega projects

Democratic qualities of planning processes (assumed as the basis to just planning outcomes, to be traced back to differing institutional arrangements)	• **Empowered advocacy** for deprived local population groups throughout planning processes, capacity for local mobilization, differentiated media coverage, public awareness of planning processes • **Accountable administration**: planners mediating between these advocates and higher administrative levels, low levels of corruption	• **Accountable leadership**: strong political leadership publicly giving account to advocates of deprived population groups, mobilization of material resources and popular support • **Inclusive codetermination:** representatives of deprived population groups actively involved in agenda setting, policy making and decision making	• **Capacity for collective action**: integrated plans and strategies, mobilization of material resources and political support • **Inclusive codetermination**: representatives of deprived localities actively involved in agenda setting, policy making and decision making
Just planning outcomes (to be traced back to democratic qualities of planning processes)	• Limiting the displacement of deprived population groups • Preservation/creation of affordable housing • Transformation/creation of public spaces, green spaces and public amenities accessible and attractive to deprived population groups	• Limiting spatial concentrations of economically deprived population groups • Directing public resources towards deprived residential areas	• Limiting the economic polarisation between municipalities • Securing affordable housing for low-income residents throughout the metro area • Securing public transportation connecting deprived population groups with appropriate job opportunities
Expected contribution to social and spatial justice • More favourable environment for the personal and professional development of deprived residents **Contextual factors** (cp. Savitch und Kantor 2002) • Economic/fiscal conditions: economic attractiveness of the city for bargaining with land owners and potential developers and investors; public funds/land available for public spaces, green spaces, public infrastructure, public amenities and social housing. Fiscal distress weakening the advocates of deprived population groups, undermining participatory processes and the responsiveness of political leaders. • Political culture: post-materialism, interventionist and solidary attitudes, and centre-left majorities at different state levels, party polarisation across metropolitan area			

In the third row we list the *democratic qualities* that are seen as central for achieving *just planning outcomes* (fourth row) at the neighbourhood, municipal and metropolitan level, respectively. The idea of the just planning outcomes is to contribute to a more favourable environment for the personal and professional development of deprived residents.

A central part of the analysis concerns the relationship between democratic qualities of single planning processes and their democratic foundations. Can the democratic quality and, for that matter, just planning outcomes actually be traced back to the broader institutional setting? In what instances have vertical or horizontal power sharing institutions and participatory processes impacted planning processes and their democratic qualities and just outcomes? To what extent is a particular leadership style really conditioned by governmental institutions, and what was its impact on the use and design of participatory processes?

4. Outlook

The framework presented here is a first draft aiming at taking an encompassing view on how democracy might relate the achievement of the Just City. While the existing institutional typologies and newer theories of political leadership and participatory processes will serve as a starting point,

the overall project will need to refine and systematize the proposed institutional framework, and the considerations on the democratic qualities of urban planning processes need to be integrated into a more coherent theory of urban democracy. But even a more elaborated framework must remain provisional, as long as it is not tested for its usefulness in international comparisons. In a first step, we are planning a comparative case study on urban planning processes in the prosperous and growing cities of Birmingham, Lyon, Stuttgart and Zurich, thus considering cities from the Anglo-Saxon, Napoleonic and Northern and Middle European state tradition. Zurich is an interesting case to include, as it exhibits the very Swiss consensual and direct democratic traits, complemented with a directly elected mayor but strong reservations against empowering participatory processes (Crivelli and Dlabac 2006) and affording political rights to foreign residents.

With regard to institutions of metropolitan governance, Zurich and Birmingham both cities lack the consolidated metropolitan institutions found in Lyon and Stuttgart (see Kübler 2012). The Greater Zurich Area is particularly affected by institutional fragmentation (132 communes and intermunicipal tax competition). Metropolitan governance for Zurich is pursued through purpose-oriented coordination schemes (Kübler and Schwab 2007), e.g. for mass transit (majority votes), tax equalization schemes imposed by the regional government, water provision by the central municipality (majority voting confined to central city) or services for drug users (consensus decision making).

The comparative analysis of urban planning processes will to great extent rely on qualitative assessments, mainly applying the process-tracing method to relate the planning outcomes and the qualities of planning processes to different institutional arrangements and their particular design. In order to widen the scope for future analysis we plan to define political-institutional indicators that can be collected for a wider range of European (and other) cities. Also for our just planning outcomes we will try to find quantifiable measures to complement our qualitative analysis. Possible data sources are: comparative data on laws and institutions, party competition, political participation; data on elections and direct legislation; content analysis of media coverage; survey data; and expert interviews. The single case studies and the comparative analysis will help to critically test and re-specify the comparative framework.

We believe that it is possible to give democracy a meaning for the Just City. The envisaged comparative case study will hopefully contribute to a realistic assessment of the opportunities and limitations offered by democratic institutions and planning processes for approaching the ideal of the Just City.

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